

Fill in this information to identify your case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/19

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	BES LLC	
2. All other names debtor used in the last 8 years Include any assumed names, trade names and doing business as names	DBA Black Electric Service	
3. Debtor's federal Employer Identification Number (EIN)	80-0336834	
4. Debtor's address	Principal place of business  321 Marble Mill Road Suite 100 Marietta, GA 30060 Number, Street, City, State & ZIP Code  Cobb County	Mailing address, if different from principal place of business  P.O. Box, Number, Street, City, State & ZIP Code  Location of principal assets, if different from principal place of business  Number, Street, City, State & ZIP Code
5. Debtor's website (URL)		
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify:	

Debtor **BES LLC**  
Name

Case number (if known)

**7. Describe debtor's business**

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625 (amount subject to adjustment on 4/01/22 and every 3 years after that).
- ☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

- ☒ No
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

Debtor **BES LLC**  
Name

Case number (if known)

**11. Why is the case filed in this district?**

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other

**Where is the property?**

Number, Street, City, State & ZIP Code

**Is the property insured?**

☐ No

☐ Yes. Insurance agency

Contact name

Phone

**Statistical and administrative information**

**13. Debtor's estimation of available funds**

Check one:

☐ Funds will be available for distribution to unsecured creditors.

☒ After any administrative expenses are paid, no funds will be available to unsecured creditors.

**14. Estimated number of creditors**

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

**15. Estimated Assets**

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☒ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

**16. Estimated liabilities**

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☒ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor **BES LLC**  
Name

Case number (if known)

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **May 15, 2019**  
MM / DD / YYYY

**X /s/ Jeremy Black**

Signature of authorized representative of debtor

**Jeremy Black**

Printed name

Title **President**

**18. Signature of attorney**

**X /s/ Paul Reece Marr GA Bar #**

Signature of attorney for debtor

Date **May 15, 2019**

MM / DD / YYYY

**Paul Reece Marr GA Bar # 471230**

Printed name

**Paul Reece Marr, P.C.**

Firm name

**Suite 960  
300 Galleria Parkway, N.W.  
Atlanta, GA 30339**

Number, Street, City, State & ZIP Code

Contact phone **(770) 984-2255**

Email address **paul.marr@marrlegal.com**

**GA Bar # 471230 GA**

Bar number and State

**Fill in this information to identify the case:**

Debtor name **BES LLC**

United States Bankruptcy Court for the: **NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION**

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

Official Form 202

**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule*
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **May 15, 2019**

**X /s/ Jeremy Black**

Signature of individual signing on behalf of debtor

**Jeremy Black**

Printed name

**President**

Position or relationship to debtor

**Fill in this information to identify the case:**

Debtor name **BES LLC**  
 United States Bankruptcy Court for the: **NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION**  
 Case number (if known): \_\_\_\_\_

☐ Check if this is an amended filing

**Official Form 204**

**Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
American Express PO Box 981535 El Paso, TX 79998-1535		credit card account				\$133,974.75
American Express Company Legal Dept. 200 Vesey St.; Lower Manhattan New York, NY 10285		Working Capital loan				\$20,398.00
Ford Motor Credit Company Bankruptcy Service Center PO Box 537901 Livonia, MI 48153-7901		2018 Ford F350		\$81,384.12	\$70,000.00	\$11,384.12
Ford Motor Credit Company Bankruptcy Service Center PO Box 537901 Livonia, MI 48153-7901		2018 Ford E350		\$45,445.47	\$45,000.00	\$445.47
Kabbage, Inc. 925B Peachtree Street NE Suite 1688 Atlanta, GA 30309		accounts, equipment, inventory, etc.		\$24,687.50	Unknown	Unknown
Kabbage, Inc. 925B Peachtree Street NE Suite 1688 Atlanta, GA 30309		accounts, equipment, inventory, etc.		\$10,675.00	Unknown	Unknown

Debtor **BES LLC**  
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Kabbage, Inc. 925B Peachtree Street NE Suite 1688 Atlanta, GA 30309		accounts, equipment, inventory, etc.		\$26,375.00	Unknown	Unknown
Kabbage, Inc. 925B Peachtree Street NE Suite 1688 Atlanta, GA 30309		accounts, equipment, inventory, etc.		\$26,375.00	Unknown	Unknown
LoanBuilder c/o Swift Financial, LLC 3505 Silverside Road Wilmington, DE 19810		accounts, accounts receivable, personal property, etc.		\$70,667.04	Unknown	Unknown
National Funding, Inc. David Gilbert, C.E.O. 9820 Towne Centre Drive San Diego, CA 92121		credit and debit card receivables, inventory, equipment, etc.		\$76,121.18	Unknown	Unknown

**United States Bankruptcy Court  
Northern District of Georgia, Atlanta Division**

In re **BES LLC** Debtor(s) Case No. Chapter **11**

**VERIFICATION OF CREDITOR MATRIX**

I, the President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **May 15, 2019** **/s/ Jeremy Black**  
**Jeremy Black/President**  
Signer/Title

American Express  
PO Box 981535  
El Paso, TX 79998-1535

American Express Company  
Legal Dept.  
200 Vesey St.; Lower Manhattan  
New York, NY 10285

Celtic Bank Corporation  
Reese S. Howell Jr., CEO  
268 South 8 State Street; # 300

Ford Motor Credit Company  
Bankruptcy Service Center  
PO Box 537901  
Livonia, MI 48153-7901

Jeremy Black  
321 Marble Mill Road  
Suite 100  
NH 03006

Kabbage, Inc.  
925B Peachtree Street NE  
Suite 1688  
Atlanta, GA 30309

Kabbage, Inc.  
Rob J. Frohwein, CEO  
730 Peachtree St. NE, Ste 1100  
Atlanta, GA 30308

LoanBuilder  
c/o Swift Financial, LLC  
3505 Silverside Road  
Wilmington, DE 19810

National Funding, Inc.  
David Gilbert, C.E.O.  
9820 Towne Centre Drive  
San Diego, CA 92121

Steve Bacorn  
35 Lindley Avenue  
Marietta, GA 30064

WebBank  
Kelly Barnett, President  
215 South State St.; Ste 1100  
Salt Lake City, UT 84111

**United States Bankruptcy Court**  
**Northern District of Georgia, Atlanta Division**

In re **BES LLC**

Debtor(s)

Case No.  
Chapter

**11**

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **BES LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

**May 15, 2019**  
Date

**/s/ Paul Reece Marr GA Bar #**  
**Paul Reece Marr GA Bar # 471230**  
Signature of Attorney or Litigant  
Counsel for **BES LLC**  
**Paul Reece Marr, P.C.**  
**Suite 960**  
**300 Galleria Parkway, N.W.**  
**Atlanta, GA 30339**  
**(770) 984-2255 Fax:(678) 623-5109**  
**paul.marr@marrlegal.com**